

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ROYAL PARK INVESTMENTS SA/NV,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiff,

v.

HSBC BANK USA, NATIONAL
ASSOCIATION, as Trustee,

Defendant.

Civil Action No. 14-CV-8175

BLACKROCK BALANCED CAPITAL
PORTFOLIO (FI), et al.,

Plaintiffs,

v.

HSBC BANK USA, NATIONAL
ASSOCIATION,

Defendant.

Civil Action No. 14-CV-9366

PHOENIX LIGHT SF LIMITED, et al.,

Plaintiffs,

v.

HSBC BANK USA, NATIONAL
ASSOCIATION,

Defendant.

Civil Action No. 14-CV-10101

**NOTICE OF HSBC BANK USA, NA'S
MOTION TO DISMISS PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 12(b)(6) AND MOTION TO STRIKE
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(f)**

PLEASE TAKE NOTICE THAT upon the accompanying Memorandum of Law, the accompanying Declaration of George A. Borden executed on January 23, 2015, the exhibits attached thereto, and all prior proceedings herein, the undersigned will move this Court on February 23, 2015, before the Honorable Shira A. Scheindlin, U.S. District Judge, United States Courthouse, 500 Pearl Street, New York, New York, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, for an order dismissing the complaints in the above-captioned actions.

PLEASE TAKE FURTHER NOTICE THAT the undersigned will also move this Court, pursuant to Rule 12(f) of the Federal Rules of Civil Procedure, for an order striking Plaintiffs' demand for investment losses in trusts with consequential damages prohibitions.

PLEASE TAKE FURTHER NOTICE THAT Plaintiffs' response to this motion is due on February 13, 2015, and Defendant's reply is due on February 23, 2015.

PLEASE TAKE FURTHER NOTICE THAT oral argument is requested.

Dated: January 23, 2015

Respectfully submitted,

/s/ George A. Borden

George A. Borden

Kevin M. Hodges (*pro hac vice*)¹

Andrew W. Rudge (*pro hac vice*)²

Edward C. Reddington (*pro hac vice*)³

Vidya Atre Mirmira (*pro hac vice*)⁴

WILLIAMS & CONNOLLY LLP

725 12th Street, N.W.

Washington, DC 20005

(202) 434-5000

gborden@wc.com

khodges@wc.com

arudge@wc.com

ereddington@wc.com

vmirmira@wc.com

Michael O. Ware

Jennifer M. Rosa⁵

MAYER BROWN LLP

1675 Broadway

New York, N.Y. 10019

(212) 506-2500

mware@mayerbrown.com

jrosa@mayerbrown.com

Counsel for HSBC Bank USA, N.A.

¹ Mr. Hodges has been admitted *pro hac vice* in the BlackRock and Royal Park cases.

² Mr. Rudge has been admitted *pro hac vice* in the BlackRock case.

³ Mr. Reddington's application for admission *pro hac vice* is pending in the BlackRock case.

⁴ Ms. Mirmira has been admitted *pro hac vice* in the Royal Park case.

⁵ Ms. Rosa has appeared in the BlackRock and Phoenix Light cases.

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of January 2015, a copy of the foregoing document was uploaded to and filed with the CM/ECF System for the United States District Court for the Southern District of New York.

Dated: January 23, 2015

/s/ George A. Borden
George A. Borden